

104TH CONGRESS
1ST SESSION

S. 760

To establish the National Commission on the Long-Term Solvency of the Medicare Program.

IN THE SENATE OF THE UNITED STATES

MAY 4 (legislative day, MAY 1), 1995

Mr. ROCKEFELLER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To establish the National Commission on the Long-Term Solvency of the Medicare Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Commission
5 Act of 1995”.

6 **SEC. 2. ESTABLISHMENT.**

7 (a) ESTABLISHMENT.—There is established a com-
8 mission to be known as the National Commission on the
9 Long-Term Solvency of the Medicare Program (hereafter
10 in this Act referred to as the “Commission”).

1 (b) MEMBERSHIP.—The Commission shall be com-
2 posed of 15 members appointed as follows:

3 (1) Five members shall be appointed by the
4 President from among officers or employees of the
5 executive branch, private citizens of the United
6 States, or both. Not more than 3 members selected
7 by the President shall be members of the same polit-
8 ical party.

9 (2) Five members shall be appointed by the Ma-
10 jority Leader of the Senate from among members of
11 the Senate, private citizens of the United States, or
12 both. Not more than 3 of the members selected by
13 the Majority Leader shall be members of the same
14 political party.

15 (3) Five members shall be appointed by the
16 Speaker of the House of Representatives from
17 among members of the House of Representatives,
18 private citizens of the United States, or both. Not
19 more than 3 of the members selected by the Speaker
20 shall be members of the same political party.

21 (4) DATE.—The appointments of the members
22 of the Commission shall be made no later than No-
23 vember 30, 1995.

24 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
25 bers shall be appointed for the life of the Commission. Any

1 vacancy in the Commission shall not affect its powers, but
 2 shall be filled in the same manner as the original appoint-
 3 ment.

4 (d) INITIAL MEETING.—No later than 30 days after
 5 the date on which all members of the Commission have
 6 been appointed, the Commission shall hold its first meet-
 7 ing.

8 (e) MEETINGS.—The Commission shall meet at the
 9 call of the Chairman.

10 (f) QUORUM.—A majority of the members of the
 11 Commission shall constitute a quorum, but a lesser num-
 12 ber of members may hold hearings.

13 (g) CHAIRMAN.—The Commission shall select a
 14 Chairman from among its members.

15 **SEC. 3. DUTIES OF THE COMMISSION.**

16 (a) ANALYSES AND RECOMMENDATIONS.—

17 (1) IN GENERAL.—The Commission shall—

18 (A) review relevant analyses of the current
 19 and long-term financial condition of the medi-
 20 care trust funds;

21 (B) identify problems that may threaten
 22 the long-term solvency of such trust funds;

23 (C) analyze potential solutions to such
 24 problems that will both assure the financial in-
 25 tegrity of the medicare program under title

1 XVIII of the Social Security Act (42 U.S.C.
2 1395 et seq.) and the provision of appropriate
3 health benefits; and

4 (D) provide appropriate recommendations
5 to the Secretary of Health and Human Serv-
6 ices, the President, and the Congress.

7 (2) DEFINITION OF MEDICARE TRUST
8 FUNDS.—For purposes of this subsection, the term
9 “medicare trust funds” means the Federal Hospital
10 Insurance Trust Fund established under section
11 1817 of the Social Security Act (42 U.S.C. 1395i)
12 and the Federal Supplementary Medical Insurance
13 Trust Fund established under section 1841 of such
14 Act (42 U.S.C. 1395t).

15 (b) REPORT.—The Commission shall submit its re-
16 port to the President and the Congress not later than De-
17 cember 31, 1996.

18 **SEC. 4. POWERS OF THE COMMISSION.**

19 (a) HEARINGS.—The Commission may hold such
20 hearings, sit and act at such times and places, take such
21 testimony, and receive such evidence as the Commission
22 considers advisable to carry out the purposes of this Act.

23 (b) INFORMATION FROM FEDERAL AGENCIES.—The
24 Commission may secure directly from any Federal depart-
25 ment or agency such information as the Commission con-

1 siders necessary to carry out the provisions of this Act.
2 Upon request of the Chairman of the Commission, the
3 head of such department or agency shall furnish such in-
4 formation to the Commission.

5 (c) POSTAL SERVICES.—The Commission may use
6 the United States mails in the same manner and under
7 the same conditions as other departments and agencies of
8 the Federal Government.

9 **SEC. 5. COMMISSION PERSONNEL MATTERS.**

10 (a) COMPENSATION OF MEMBERS.—

11 (1) OFFICERS AND EMPLOYEES OF THE FED-
12 ERAL GOVERNMENT.—All members of the Commis-
13 sion who are officers or employees of the Federal
14 Government shall serve without compensation in ad-
15 dition to that received for their services as officers
16 or employees of the United States.

17 (2) PRIVATE CITIZENS OF THE UNITED
18 STATES.—

19 (A) IN GENERAL.—Subject to subpara-
20 graph (B), all members of the Commission who
21 are not officers or employees of the Federal
22 Government shall serve without compensation
23 for their work on the Commission.

24 (B) TRAVEL EXPENSES.—The members of
25 the Commission who are not officers or employ-

ees of the Federal Government shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission, to the extent funds are available therefore.

(b) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. At the request of the Chairman, the Secretary of Health and Human Services shall provide the Commission with any necessary administrative and support services. The employment of an executive director shall be subject to confirmation by the Commission.

(2) COMPENSATION.—The Chairman of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating

1 to classification of positions and General Schedule
2 pay rates, except that the rate of pay for the execu-
3 tive director and other personnel may not exceed the
4 rate payable for level V of the Executive Schedule
5 under section 5316 of such title.

6 (c) DETAIL OF GOVERNMENT EMPLOYEES.—Any
7 Federal Government employee may be detailed to the
8 Commission without reimbursement, and such detail shall
9 be without interruption or loss of civil service status or
10 privilege.

11 (d) PROCUREMENT OF TEMPORARY AND INTERMIT-
12 TENT SERVICES.—The Chairman of the Commission may
13 procure temporary and intermittent services under section
14 3109(b) of title 5, United States Code, at rates for individ-
15 uals which do not exceed the daily equivalent of the annual
16 rate of basic pay prescribed for level V of the Executive
17 Schedule under section 5316 of such title.

18 **SEC. 6. TERMINATION OF THE COMMISSION.**

19 The Commission shall terminate 30 days after the
20 date on which the Commission submits its report under
21 section 2(b).



1 **SEC. 7. FUNDING FOR THE COMMISSION.**

2 Any expenses of the Commission shall be paid from
3 such funds as may be otherwise available to the Secretary
4 of Health and Human Services.

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